

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD TERRELL, D-54233,	)	
	)	
Petitioner,	)	No. C 14-4508 CRB (PR)
	)	
vs.	)	ORDER OF TRANSFER
	)	
RON BARNES, Acting Warden,	)	(Dkt. #5)
	)	
Respondent.	)	

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Petitioner seeks federal habeas review of a conviction and sentence from San Joaquin County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Petitioner is incarcerated at High Desert State Prison in Susanville, Lassen County, which also lies within the venue of the Eastern District of California. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see id. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because San Joaquin County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter and terminate all pending motions as moot.  
SO ORDERED.

DATED: Nov. 18, 2014

  
CHARLES R. BREYER  
United States District Judge